

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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In Re MBIA INC. SECURITIES LITIGATION :
: 05-Civ.-03514 (LLS)
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This Document Relates to: : NOTICE OF MOTION
ALL ACTIONS :
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C O U N S E L O R S :

PLEASE TAKE NOTICE that, upon the annexed declaration of Julliette Tehrnai, dated September 8, 2009, along with the exhibits thereto, and the prior pleadings and proceedings herein, defendant Julliette Tehrani, by her attorneys, will move this Court before the Hon. Louis L. Stanton, in the United States District Court for the Southern District of New York, 500 Pearl Street, New York, NY on October 15, 2009 at 10:00 A.M., for an order pursuant to Fed. R. Civ. P. 12(b)(5) and (6) dismissing the Second Consolidated Amended Class Action Complaint (the "Complaint") on the grounds that the Complaint was not served within 120 days of the commencement of this action, as required by Fed. R. Civ. P. 4(m), and fails to state a claim, and granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, shall be served and filed on or before September 30, 2009.

PLEASE TAKE FURTHER NOTICE that reply papers, if any, shall be served and filed on or before October 8, 2009.

Dated: New York, NY
September 10, 2009

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